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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,080	07/31/2000	Richard N. Burrige	SUN-P4677	4961

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EXAMINER

GROSS, KENNETH A

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 06/15/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/629,080

Applicant(s)

BURRIDGE ET AL.

Examiner

Kenneth A Gross

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 23, 26-32 and 35-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 23, 26-32 and 35-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response the amendment filed February 27th, 2004.
2. Claims 1-7, 23, 26-32, 35, and 36-42 remain rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5-7, 23, 26, 30-32, 35-36, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins (U.S. Patent Number 6,536,035) in view of "JDK 1.2 Roadmap: All Things New with JDK" by Monica Pawlan, March 1998 (hereinafter Pawlan).

In regard to Claim 1, Hawkins teaches: (a) executing a main program unit a first time (Column 8, lines 5-6); (b) creating at least one library file containing application program files loaded during first execution of the main program unit. Hawkins teaches analyzing, tracing, and archiving application classes in a library file. Specifically, Hawkins teaches "analyzing a running *application* to trace the first instantiation of classes within the *application*" (emphasis added) (Column 8, lines 5-6). Therefore the library file created by Hawkins contains only *application* class files. (c) executing said main program unit a second time using at least one library file for dynamically loaded program files. Hawkins teaches executing the application on a client, and using the library files dynamically (Column 3, lines 4-7). Hawkins does not teach specifying a system program input. Pawlan, however, does teach the Java Development Kit includes libraries

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of system program files used in the development of Java programs, where the libraries are specified as being used in an application program, hence inputting the libraries into the application. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to execute a main program unit a first time and create a library file containing application program files loaded during first execution of the main program unit and executing said main program unit a second time using at least one library file for dynamically loaded program files, as taught by Hawkins, where a system program file input is specified and used for application building, as taught by Pawlan, since a system file input allows system file libraries to be accessed, allowing the application to add features specified in the system file libraries.

Claims 23 and 26 correspond with Claim 1 and are rejected for the same reasons as Claim 1, wherein Hawkins also teaches an apparatus for carrying out said method discussed above (Column 6, lines 50-59).

In regard to Claim 35, Hawkins teaches storing in at least one program unit field every application program unit loaded during execution of a dynamically loaded program. Hawkins teaches tracing and archiving application classes in a library file. Specifically, Hawkins teaches "analyzing a running *application* to trace the first instantiation of classes within the *application*" (emphasis added) (Column 8, lines 5-12). Hawkins does not explicitly teach storing the pathname of every program unit loaded. However, a pathname is an inherent representation of a program unit file. Hawkins also does not specifically teach storing the pathname of the main unit in the main unit field. However, since the main unit is the first program unit to be run, the class file of the main unit will be the first to be loaded, and hence stored in the main program unit during execution. Therefore it would have been obvious to one of ordinary skill in the art at the

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time of the invention to store in at least one program unit field every program unit loaded during execution of a dynamically loaded program, where the program unit is stored as a pathname, since a pathname is an inherent representation of a file, and storing a pathname reduces the size of the library file, where the main program unit is stored in the main unit field, since the main program is the first to run, and therefore would be stored in the main unit field.

For specific rejections of Claims 5-7, 30-32, 36, and 40-42, see the office action mailed on December 3rd, 2003.

5. Claims 2-4, 27-29, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins (U.S. Patent Number 6,536,035) in view of "JDK 1.2 Roadmap: All Things New with JDK" by Monica Pawlan, March 1998 (hereinafter Pawlan) and further in view of "Special Edition Using Java 2 Platform" by Joseph L. Weber, 1998 (hereinafter Weber).

For specific rejections of Claims 2-4, 27-29, and 37-39, see the office action mailed on December 3rd, 2003.

Response to Arguments

6. Applicant's arguments filed February 27th, 2004 have been fully considered but they are not persuasive.

Specifically, the applicant states that "just becuase Hawkins may distinguish between application program files and system program files when analyzing and tracing application classes, that does not mean that it teaches or suggests distinguishing between application program files and system program files when creating at least one library file (Page 13, Paragraph 2). Furthermore, the applicant states that Hawkins doesn't care about what types of

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classes are loaded, it only cares about when (Page 13, Paragraph 3). However, Hawkins does teach "analyzing a running *application* to trace the first instantiation of classes within the *application*" (emphasis added) (Column 8, lines 5-6). Therefore the library file created by Hawkins contains only *application* class files, since these are classes that are traced within the application. Therefore, Hawkins *does* teach creating a library file with application classes.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Gross whose telephone number is (703) 305-0542. The examiner can normally be reached on Mon-Fri 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KAG


TUAN DAM
SUPERVISORY PATENT EXAMINER